

JPW



Docket No.: 300.1138

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Mitsutoshi HIGASHI

Serial No. 10/706,912

Group Art Unit: 2813

Confirmation No. 7653

Filed: November 14, 2003

Examiner: SCHILLINGER, LAURA M

For: ELECTRONIC DEVICES AND ITS PRODUCTION METHODS

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This is responsive to the Office Action mailed July 12, 2007, having a shortened period for response set to expire on August 12, 2007, the following remarks are provided.

I. Provisional Election of Claims Pursuant to 37 CFR §1.142

Applicants provisionally elect Species I (claims 29-34) in response to the preliminary restriction requirement set forth in the Office Action.

II. Applicants Traverse the Requirement

Insofar as Species III (claim 41) is concerned, it is believed that this species is so closely related to elected claims 29-34 that this species should remain in the same application. The elected claims 29-34 are directed to, for example, an electronic device including electrodes of an MEMS element and wiring patterns of a lid connected at a bonded part of a substrate of the MEMS element and the lid and including a sealing portion, while non-elected claim 41 is also directed to an electronic device including electrodes of an MEMS element that are connected at a bonded part of a substrate of the MEMS element and a lid at the wiring patterns of the lid and including a sealing portion.

It is believed, moreover, that evaluation of at least Species I and Species III together would not provide an undue burden upon the Examiner at this time in comparison with the additional expense and delay to Applicants in having to protect the additional subject matter recited by the Species III claim by filing a divisional application.